



CH2M HILL  
13921 Park Center Road  
Suite 600  
Herndon, VA 20171  
Tel 703.471.1441  
Fax 703.471.1508

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February 25, 2002

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Mr. Christopher Penny  
Installation Restoration Section  
US Naval Facilities Engineering Command  
Atlantic Division, Code EV23  
1510 Gilbert Street  
Norfolk, VA 23511-2699

Subject: March 2002 Meeting of the Technical Review Committee (TRC) for Environmental Restoration of the former U.S. Naval Ammunition Support Detachment (NASD)

Dear Mr. Penny,

On behalf of Christopher Penny, I would like to invite you to the next TRC meeting, on Wednesday, March 13, 2002. The meeting will be held at the Vieques Conservation & Historic Trust pavilion in Esperanza, from 6:30-8:30 p.m.

The meeting will include a status report on the environmental restoration program, including the recent ordnance/explosives survey and clearance work at SWMU 4 (the former Open Burn/Open Detonation site), and the comments that were received on the three reports submitted for regulatory and TRC review last summer.

On Tuesday, March 12, we will hold a public open house (poster session) about the environmental restoration program for the western lands on Vieques. The event will be held at the Multiple Use Center in Isabel Segunda (across from the Mayor's office on the town square), from 3:00 p.m. to 7:00 p.m. The public is invited to look at informational posters about the environmental restoration process and schedules, to ask questions, and to sign up for the mailing list.

We would very much appreciate if the TRC members could be there, at least part of the time, to share your knowledge and interest in the cleanup program with other community members.

On February 20, TRC community members were scheduled to take a tour of the 17 sites that are being investigated on the western side of the island. Due to a last-minute conflict for some TRC members, the tour was postponed. We'd like to reschedule the tour on March 13,

Christopher Penny  
Page 2  
February 25, 2002

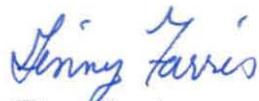
from 4:00 p.m. until 6:00 p.m., ending shortly before TRC meeting. If you would like to participate, please contact Chris Penny or me.

As always, if you have any questions, comments or suggestions about environmental restoration activities, please call Chris Penny at 757-322-4815, or write to him at Atlantic Division, Code EV23, 1510 Gilbert Street, Norfolk, VA 23511-2699, or email him at PennyCT@efdlant.navfac.navy.mil.

For questions about TRC business or the public poster session, or if you can't reach Chris, please feel free to call me at 703-471-6405 (ext. 4538), or send a fax to me at 703-796-6152, or email me at vfarris@ch2m.com.

I look forward to seeing you in March.

Sincerely,



Ginny Farris  
CH2M HILL  
Community Involvement Manager

Enclosures: Minutes of the 11/14/2001 TRC meeting

Cc: **TRC members**— Jose Arroyo, Pablo Connelly (Municipality of Vieques), Arcinio Corcino, Luis Dávila, Michael Díaz, Ricardo Jordán, Colleen McNamara, Stacie Notine, Christopher Penny (LANTDIV), Madeline Rivera (NSRR), Oscar Díaz (Vieques National Wildlife Refuge), Felix López (USFWS), Robert Wing (EPA Region 2)

**Invited Guests**— Mayor Dámaso Serrano (Municipality of Vieques), Juan Fernández (Special Commissioner for Vieques), Esteban Mujica Cotto (EQB), Manuel Rivera (DNER), Radamés Tirado (Subcommissioner for Vieques), Aimée Houghton (CPEO), Carlos Ramos (EPA Region 2), Daniel Rodríguez (EPA Caribbean Office), E. Donald Elliott, Sharon Grasso, Ted Henry

**Third Meeting of the Technical Review Committee for the former U.S. Naval Ammunition Support Detachment (NASD), Vieques Island, PR**

**Tercera Reunion del Comite de Revision Tecnica para el antiguo Destacamento de Apoyo Naval de la Marina de los EEUU en la Isla de Vieques, PR**

<b>TRC Minutes: November 14, 2001</b>	<b>La Acta de la Reunion del TRC: el 14 de noviembre 2001</b>
<p><b>I. Opening</b></p> <p>Christopher Penny, Remedial Project Manager from the Atlantic Division of the Naval Facilities Engineering Command (LANTDIV), opened the meeting at approximately 7:00 p.m. He gave a brief introduction and asked everyone to introduce themselves (A list of participants is attached)</p> <p>Several informational presentations were made, followed by questions and comments on each topic. A Spanish version of the presentation slides (text) and a map showing the locations of the sites to be discussed were provided as handouts.</p>	<p><b>I. Introducción</b></p> <p>El Sr. Christopher Penny, gerente del Proyecto de Restauracion de la Division del Atlántico del Comando de Ingeniería de Instalaciones Navales (LANTDIV) de la Marina de los EEUU, abrio la reunion a las 7:00 p.m. Despues de una introducción breve, el pidio que todos participantes se presentaran (Una lista de los participantes esta adjuntada).</p> <p>Unas presentaciones informativas tuvieron lugar con un período de preguntas y comentarios sobre cada asunto. Se distribuyo una version en español del texto de las diapositivas presentadas y un mapa mostrando las ubicaciones de las areas para discusion.</p>
<p><b>II. TRC Business (Ginny Farris, CH2M HILL, 7:10 p.m.)</b></p> <p>Technical Review Committee (TRC) members represent the stakeholders in the environmental restoration process:</p> <ul style="list-style-type: none"><li>• local residents</li><li>• the Municipality of Vieques (MOV) and US Fish &amp; Wildlife Service (FWS), which have sites on their property</li><li>• the US Navy, which is responsible for cleanup and the regulatory agencies responsible for technical review—<ul style="list-style-type: none"><li>– the Puerto Rico Environmental Quality Board (EQB)</li><li>– US Environmental Protection Agency (EPA).</li></ul></li></ul> <p>TRC community members vote on administrative issues such as approving new members, but provide advice on the cleanup process as individuals. “Ex-officio” members are appointed to represent an agency, such as EPA. Members are encouraged to invite interested guests to attend TRC meetings.</p> <p>Two more members were added after the first TRC meeting in May: the Vice Mayor, Henry Gonzalez, representing the Municipality; and Colleen McNamara, from the Vieques Historic &amp; Conservation Trust. It was proposed that a vice chairman should be appointed from the community to assist the chairman (Chris Penny). Three new community members were nominated at this meeting, by the existing community members: Jose Aroyo (not present), Ricardo Jordan, and Michael Diaz. The three TRC community members</p>	<p><b>II. Asuntos del Comite de Revision Tecnica (Ginny Farris, CH2M HILL, 7:10 p.m.)</b></p> <p>Los miembros del Comite de Revision Tecnica (TRC, por sus siglas en ingles) representan a todos aquellos que tengan intereses en el proceso de la restauracion ambiental:</p> <ul style="list-style-type: none"><li>• los residentes de la comunidad</li><li>• la Municipalidadde Vieques (MOV) y el Servicio de Pesca y Vida Silvestre de los EEUU (FWS, por sus siglas en ingles) que tienen areas de restauracion en sus propiedades traspasadas de la Marina</li><li>• la Marina de los EEUU, que tiene la responsabilidadde la limpieza ambiental</li><li>• y las agencias regulatorias que tienen la responsabilidadde la revision tecnica:<ul style="list-style-type: none"><li>– la Junta de Calidad Ambiental de Puerto Rico (EQB, por sus siglas en ingles)</li><li>– la EPA (Agencia de Protección Ambiental/Environmental Protection Agency) de los EEUU.</li></ul></li></ul> <p>Los miembros comunitarios del TRC votan sobre los asuntos administrativos, tales como la admision de miembros adicionales o nuevos, pero ellos ofrecen sus consejos como individuos y no colectivamente. Los miembros “ex-oficios” (en virtud de su oficio) han sido nominados por su agencia (por ejemplo, la EPA). Se alento a los miembros a invitar a otras personas interesadas a las reuniones del TRC.</p> <p>Se añadieron a dos miembros adicionales al Comite despues de la primera reunion que tuvo lugar en mayo: el vice alcalde—el Sr. Henry Gonzalez, representante de la Municipalidadde Vieques y la Sra. Colleen McNamara, representante del Fideicomiso de Conservación e Historica de Vieques. Se propuso nominar a un miembro de la comunidad como vice presidente del TRC para ayudar al presidente (Chris Penny). Ademas se nominaron a tres miembros comunitarios</p>

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TRC Minutes: November 14, 2001	La Acta de la Reunion del TRC: el 14 de noviembre 2001
<p>In the opinion of the Navy representatives present at the meeting, it should not be required, because the TRC is established and already functioning.</p> <p><b>A TRC member expressed concern that the Municipality and EQB were not at this meeting. The community needs to hear what their priorities are and where they stand.</b></p> <p>Bob Wing, EPA Region 2, stated that it would not be appropriate to set priorities in the next meeting without the Municipality participating. Christopher Penny noted that the Vice Mayor had said he would attend tonight's meeting, but was not there. Ranking sites for action should be a collaborative process, with all stakeholders participating, so the Navy knows each group's priorities and can try to balance them. Ideally, the Municipality, the Special Commissioner or Sub-Commissioner for Vieques, and EQB should all be involved, to move the process forward.</p>	<p>Los representantes de la Marina presentes en la reunion opinan que no se requiera un documento final, porque el TRC ya esta establecido y funciona actualmente.</p> <p><b>Un miembro del TRC expreso su preocupacion, dado la ausencia de representantes de la Municipalidad y la JCA (EQB) en esta reunion. La comunidad necesita oir sus perspectivas y prioridades.</b></p> <p>Bob Wing, representante de Region II de la EPA, dijo que el establecimiento de las prioridades relativas de los lugares para la limpieza en la proxima reunion no seria apropiado sin la participacion de la Municipalidad de Vieques. Sr. Penny noto que el vice alcalde expreso su intencion de asistir en esta reunion, pero no estuvo presente. El proceso de asignar las prioridades relativas de las areas para la limpieza debe ser un proceso de colaboracion de todos los grupos interesados. Asi la Marina podria saber las prioridades de cada grupo para hacer un equilibrio entre los intereses diversos. Idealmente, la Municipalidad, el comisionado especial para la Isla de Vieques y Culebra, el subcomisionado y la JCA (EQB) deberian estar envueltos para que el proceso avance.</p>
<p><b>Can priority ranking and the site cleanup process still proceed without MOV and EQB participation?</b></p> <p>Yes. If they do not attend the next meeting, we could have a hybrid ranking process; it would still be valuable to have the community members' input. We can't wait indefinitely and will move forward without them, if necessary, and keep asking for their comments. The Navy can move forward with the site investigations and remediation of the sites without EQB approval. However, EQB is the signature authority for the release of property restrictions. If EQB does not sign the Record(s) of Decision, then the Navy cannot remove the deed restrictions on the Municipality's property. (This discussion was continued later.)</p>	<p><b>¿Se puede avanzar el proceso de asignar prioridades y limpiar los lugares sin la participacion de la Municipalidad y la JCA (EQB)?</b></p> <p>Si. Si la Municipalidad y la JCA (EQB) no asisten a la proxima reunion, podriamos desarrollar un proceso hibrido para asignar las prioridades relativas de las areas; la perspectiva de los oficiales locales sera valiosa. No podemos esperar indefinidamente, y tendremos que seguir adelante sin ellos; de ser necesario, pero seguiremos solicitando sus comentarios. La Marina puede seguir con las investigaciones de las areas y su restauracion sin la aprobacion de la JCA (EQB). La JCA (EQB) tiene la autoridad de firmar el documento para eliminar las restricciones de uso en la escritura de la propiedad. Sin embargo, si la JCA (EQB) no firma el Registro de Decision, la Marina no podria eliminar las restricciones en la escritura de la propiedad. (La discusion de este asunto tuvo lugar mas tarde en la reunion).</p>

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TRC Minutes: November 14, 2001	La Acta de la Reunion del TRC: el 14 de noviembre 2001
<p>Kimberly Gates (LANTDIV) presented a graph showing the time between the Navy submitting each document for regulatory review and receiving comments from EPA and EQB. To date, EQB has only commented on one of the eight documents, the Phase IPA/SI, which was submitted in November 2000.</p>	<p>Kimberly Gates (LANTDIV) presentó una grafica mostrando el tiempo pasando entre la entrega de cada documento por la Marina y el recibo de los comentarios de la EPA y la JCA (EQB). Hasta hoy, la JCA (EQB) ha entregado solamente sus comentarios sobre el informe de la Fase IPA/SI, un documento entregado en noviembre del 2000.</p>
<p><b>Questions and Comments</b></p>	<p><b>Preguntas y Comentarios</b></p>
<p>What does EPA's concurrence role mean? If EQB does not participate, how does that relate to EQB's cleanup standards?</p>	<p>¿Qué significa el rol de concurrencia de la EPA? Si la EQB no participa, como se relaciona el rol de concurrencia de la EPA a los estandares estatales de limpieza?</p>
<p>A (EPA): A state's standards can be more strict, never less strict, than Federal standards and would take precedence. That means promulgated standards (regulations), not just policy or guidelines. Even if EQB is not actively involved in reviewing documents, their promulgated standards can be looked up and used. For example, EQB has Maximum Contaminant Levels (MCLs) for drinking water that could apply to groundwater or surface water. Chris Penny discussed the definition of Applicable and Relevant and Appropriate Requirements (ARARs). A list showing the standards for soil, surface water, groundwater, air, etc., will be produced. Where regulations do not exist for certain chemicals, EPA or EQB should identify that.</p>	<p>Los estandares estatales pueden ser mas, nunca menos, estrictos que los estandares federales y tienen precedencia. Eso significa estandares promulgados (reglamentos) y no solamente politicas o pautas. Si la EPA no se involucra en la revision de documentos, en todo caso sus estandares promulgados pueden ser buscados y utilizados. Por ejemplo, la EQB promulgo sus propios Niveles Maximos de Contaminantes para el agua potable aplicables al agua subterranea o superficial. Chris Penny discutio la definicion de Requerimientos Aplicables, Relevantes y Apropriados (Applicable and Relevant and Appropriate Requirements o ARARs, por sus siglas en ingles). Se producira una lista mostrando los estandares para suelos, aguas superficiales y aguas subterraneas. La EPA o la EQB necesita identificar las sustancias quimicas que no estan actualmente reguladas.</p>
<p>What was the HRS score for NASD? Was it close to the 28.5 score needed for the NPL?</p>	<p>Que era el valor numerico asignado al NASD? Era el valor cerca de 28.5, requerido para incluir el area en la lista NPL?</p>
<p>EPA representatives could not remember, but will look it up.</p>	<p>Los representantes de la EPA no pudieron recordarselo, sino acordaron buscarlo</p>
<p>TRC member asked, is it typical for the state agency (EQB) not to show up? A Navy representative asked, can EPA require EQB to become more involved in the CERCLA process?</p>	<p>Un miembro de la TRC pregunto si la ausencia de la agencia estatal (EQB) es una situacion tipica para las agencias estatales. Un representante de la Marina pregunto si la EPA puede obligar a la EQB a involucrarse en el proceso CERCLA?</p>
<p>A (EPA): If there was an EPA-delegated CERCLA program at the state level, that might be used to enforce their involvement. CERCLA is not delegated in Puerto Rico so EPA cannot use enforcement procedures on EQB. If the Governor does not require EQB to be involved, no one can. EPA has tried to convince EQB to take a more active role, but they're still not here. Perhaps if the Navy, EPA and the local community try again, they can make it happen.</p>	<p>(EPA) Si fuera un programa CERCLA delegado por la EPA al nivel estatal, seria posible de obligar la participacion de la EQB, pero el programa CERCLA no es delegado en Puerto Rico y pues la EPA no puede obligar la participacion de la EQB. Si la gobernadora no requiere la participacion de la EQB, nadie puede hacerla cumplir. La EPA ha tratado a convencer la EQB de involucrarse, pero la EQB todavia no esta metida en el proceso. La Marina, la EPA y la comunidad pueden tratar de nuevo a convencer a la EQB a involucrarse.</p>
<p>Aimee Houghton (a TRC guest from the Center for Public Environmental Oversight, CPEO) suggested that community members write a formal request to the Governor and to the Resident Commissioner Anibal Acevedo, requesting that EQB to send a representative to TRC</p>	<p>Aimee Houghton (una invitada representando del Centro para la Revision Ambiental Pùblica (Center for Public Environmental Oversight o CPEO, por sus siglas en ingles) sugirió que los miembros de la TRC escriban una solicitud formal a la gobernadora de Puerto Rico y al comisionado residente, Anibal Acevedo, pidiéndoles enviar un representante de la EQB.</p>